

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

OLIVIA Y., et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, et al. DEFENDANTS

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**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND  
TO PLAINTIFFS' MOTION FOR CONTEMPT AND FOR THE  
APPOINTMENT OF A RECEIVER**

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COME NOW Defendants, pursuant to Fed. R. Civ. P. 6(b)(1), and move this Court for an extension of time from October 19, 2010, to November 15, 2010, to respond to Plaintiffs' Motion for Contempt and for the Appointment of a Receiver [Doc. No. 511]. As grounds for this Motion, Defendants state:

1. Plaintiffs have filed a forty-two page motion with voluminous supporting exhibits and additional time is required in order to be responsive to the issues Plaintiffs raise and to prepare an appropriate legal response.

2. Counsel for Plaintiffs has advised undersigned counsel that Plaintiffs have no objection to the requested extension. However, in light of Defendants' request for an extension of time to file their response, Plaintiffs' request that their deadline to file their reply in further support their Motion for Contempt and Appointment of a Receiver be extended to December 3, 2010. Defendants have no objection to Plaintiffs' request.

3. The extension of time sought is made in good faith and not requested solely for purposes of undue delay.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request the Court to enter an Order granting Defendants an extension of time until November 15, 2010, to file their response to Plaintiffs' Motion for Contempt and for the Appointment of a Receiver and granting Plaintiffs an extension of time until December 3, 2010, to file their reply in further support of their Motion for Contempt and for the Appointment of a Receiver.

Respectfully submitted, this the 12th day of October, 2010.

/s/ Dewitt L. ("Rusty") Fortenberry, Jr.

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**CERTIFICATE OF SERVICE**

I, Dewitt L. "Rusty" Fortenberry, Jr., do hereby certify that on October 12, 2010, I electronically filed a true and correct copy of the foregoing document with the Clerk of court using the ECF system which sent notification of such to counsel as follows:

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SO CERTIFIED, this 12<sup>th</sup> day of October, 2010.

/S/ DEWITT L. ("RUSTY") FORTENBERRY, JR.